



Muscogee (Creek) Nation

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March 8, 2011

VIA E-MAIL

Department of the Interior

Attn: Ken Salazar, Secretary of the Interior

1849 C Street N.W.

Washington, DC 20240

consultation@doi.gov

Re: Comments on Proposed DOI Consultation Policy

Dear Secretary Salazar:

On January 14, 2011, you issued a *Dear Tribal Leaders* letter that requested comments on the Proposed DOI Consultation Policy (hereinafter "Policy"). Pursuant to your request, I am submitting the following comments:

1. Under Article III, paragraph A, reference is made only to the *Department of the Interior Manual*. Tribes or other interested parties outside of Interior more than likely do not have a copy of the Manual. Therefore, I would recommend that an actual definition be provided under paragraph A instead of a reference to a definition that the majority of people will not have access to read for clarification.
2. Under the last sentence of Article III, paragraph D, the word **that** located between the words *matters* and *undertaken* should be deleted.
3. In the last paragraph of Article IV, there is a reference to the *DOIU*. There is no explanation what the *DOIU* is. The acronym may be known to DOI personnel, but an outside party will have no idea what DOIU represents or means. I would recommend spelling out the full title for the DOIU.
4. The last paragraph of Article IV also references training to improve sensitivity and understanding of traditional American Indian cultures and governments. The paragraph does not mention any input/assistance from traditional American Indian or Alaska Native cultures. I definitely believe that there must be a concerted effort between the DOI and traditional American Indian or Alaska Native members to develop the training. The training should not be unilaterally developed by the DOI.

5. The second paragraph of Article V makes reference to notifying tribes of an opportunity for consultation. I believe within this paragraph there should be some type of reference to a reasonable amount of notice to the Tribes. In many instances, Tribes do not receive adequate notice on matters that have a direct impact on Tribes. The use of **will notify** in this provision is much too broad and should be amended to provide more of an obligation for DOI to always provide reasonable notice to the Tribes.
6. The last paragraph of Article V references the value of communicating through a regular gathering of Indian Tribes. If this is the case, then I would suggest including language in this paragraph that establishes/continues a Tribal Task Force that meets, at a minimum, annually to review the DOI's Consultation Policy. If such language is not included, then valuable time will be used creating a Tribal Task Force instead of discussing the pertinent issues.
7. Under the last paragraph of Article VIII, paragraph A, the word *a* should be deleted between the words *specific* and *Departmental*.

Thank you for the opportunity to comment on the DOI's Consultation Policy. If you should have any further questions, please feel free to contact me at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'A.D. Ellis', with a stylized flourish at the end.

A.D. Ellis, Principal Chief
Muscogee (Creek) Nation